

**REMARKS / ARGUMENTS**

This Amendment is submitted in full response to the outstanding Office Action dated March 18, 2004. Claims 5, 8 through 10 and 21, which remain in this application stand rejected. More specifically, claims 10, 12 through 14 and 21 stand rejected under the judicially created doctrine of obviousness type double patenting as being unpatentable over claims 1 through 3 and 7 of U.S. Patent No. 6,386,214 issued to Applicant herein. Also, claims 5 and 8 stand rejected under the obvious type double patenting doctrine in view of claim 21 of U.S. Patent No. 6,314,976 also to the present Applicant. Finally, claim 9 stands rejected under 32 U.S.C. §112, first paragraph, for the reasons set forth by the Examiner in detail in objecting to the specification, as outlined in detail on page 3 of the Office Action.

**ISSUES UNDER 35 U.S.C 112**

The specification is objected to under 35 U.S.C. §112 first paragraph as failing to provide an adequate written description of the invention. It is the Examiner's contention that the specification fails to clearly show how the main and secondary

hub members 18 and 30 respectively, are rotated about a longitudinal axis of the pole member 12 when a rigid bolt member 15' is extended downwardly from the secondary hub member 30 into the top of the partially hollow interior poll 14. Applicant initially attempted to more fully describe this feature in Figure 17 when it was originally submitted in response to the previously outstanding Office Action of June 3, 2003. However, the Examiner disapproved the proposed Figure 17 because the rigid bolt member 15' extending downwardly into the upper end 14 of the pole 12 did not show any connection of the bolt 15' and the top end of the poll 14. Therefore, the Examiner further contends that Figure 17, as originally proposed, does not specifically clarify how the second hub member 30 is rotationally connected to the top of the poll 14, as defined in claim 9, since the bolt member 15' does not operatively connect to the poll 14.

**Outstanding Objections to the Drawings and the Specification:**

In response to the above noted objections, as well as the rejection of claim 9, Applicant's submits herewith an amended Figure 17 as recommended by the Examiner in paragraph 4 of the Office Action. Figure 17 now includes member 14' secured within

the interior of the upper end 14 of the pole 12, wherein the threaded bolt 15' is operatively connected thereto. Applicant contends that the inclusion of member 14' in Figure 17 finds adequate antecedent basis in Figures 1, 9 and 11 as originally filed with this application. These original Figures clearly show a member, not initially indicated by a referenced numeral but disposed within the interior of the upper end 14 of the pole 12, being operatively connected to bolt 15. For purposes of clarity, Applicant has further amended Figure 1 to include the designated reference numeral 14' as an identifier of the interior member with which bolt 15 is operatively connected.

Moreover, the Examiner's attention is respectfully invited to page 11 lines 3 through 19 and in particular lines 8 through 13. As described in detail therein, the secondary hub member 30 is freely rotated about both the bolt 15 and the pole member 12 near the top end 14 when a nut 17 (shown in Figure 1) is loosened. Further, a tightening of the nut 17 about the bolt 15 will serve to clamp or secure to the secondary hub 30 to the upper end 14 of the pole 12 because it is sandwiched between the nut 17 and the extremity of the top end 14. For purposes of clarity, this paragraph on page 11 has been amended to include the reference number 14' designating the interior member located

within the hollow end 14 of the pole 12.

In addition, the Examiner is invited to again review the paragraph beginning at line 20 of page 11. This paragraph more fully describes the alternate embodiment represented in amended Figure 17. As now disclosed, the rigid bolt member 15 extends axially downward through the pole receiving portion 34 into the at least partially hollow open end 14 and into operative engagement with the member 14'. Clearly, a tightening of the bolt 15' relative to the member 14' will clamp or sandwich the hub 30 between the "head" of the bolt and the extremity of the end 14 of pole 12. To the contrary, a loosening of the bolt 15' relative to the member 14' will allow rotation of the hub member 30 relative to the pole 12 and bolt 15'.

Therefore, Applicant respectfully requests that the Examiner reconsider her position regarding the outstanding objections to the drawings and specification and the rejection of claim 9 under 35 U.S.C. §112. As set forth above, the Amendment of Figures 1 and 17 and the content of the original disclosure included in Figures 1, 9 and 11 now more descriptively represent the operative connection of the bolt 15 and 15' with the interior member 14' and the rotation of the hubs 18 and 30 relative to the pole 12.

**Terminal Disclaimer to Overcome Double Patenting Rejection**

Applicant submits herewith a Terminal Disclaimer which disclaims the terminal part of any patent allowed on this application beyond the expiration dates of U.S. Patent No. 6,386,214 and U.S. Patent No. 6,314,976 to the Applicant herein. As set forth in paragraph 7 through 9 of the outstanding Office Action, the only remaining basis for rejecting claims 5, 8, 10, 12 through 14 and 21 is the above noted double patenting rejection. In compliance with 37 CFR 1.321 (c) the filing of a Terminal Disclaimer attached hereto, is believed to overcome the rejection of these claims.

The Applicant points out that in making the double patenting rejection of claims 12-14, the Examiner has given substantive consideration to the merits of these claims. However, claims 12-14 also appear to have been inadvertently noted as being withdrawn in other portions of the latest Office Action. Because it appears that the Examiner, upon further review of claims 12-14, has deemed them to be properly within the case, and has given them substantive consideration, this reply has addressed said claims as well.

### **Conclusion**

Based on the above, Applicant believes that the amending of the drawings, specification and claims, as set forth herein, overcome all of the outstanding objections and rejections contained in the outstanding Office Action. Therefore, Applicant respectfully contends that this application is now in condition for allowance and favorable consideration and action by the Examiner is respectfully solicited.

In addition, a request for an appropriate extension of time is enclosed herewith along with the corresponding PTO fee. In the event that any additional fee may be required by the filing of this paper, the Commissioner is hereby authorized to charge any fees and/or credits to our **Deposit Account No. 13-1227**.

Respectfully Submitted,

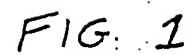
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## APPENDIX





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